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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,915	10/04/2000	Ira A. Kronenberg	KRONA01/00	7233
27988	7590	06/09/2005	EXAMINER	
JOSEPH T. REGARD, LTD PLC PO DRAWER 429 MADISONVILLE, LA 70447-0429			ZEENDER, FLORIAN M	
			ART UNIT	PAPER NUMBER

3627

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/678,915

**Applicant(s)**

KRONENBERG ET AL.

**Examiner**

F. Ryan Zeender

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

Claims 12-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beard et al. '800 in view of Sedam et al. '292 and Schwartzendruber '784.

Beard et al. disclose or inherently teach: a communication system between a vending machine, service delivery vehicle, and a central management location (see, for example, columns 1 and 2) utilizing transceivers that transmit vending machine data.

Beard et al. lack the specific teaching of the data being sales, cash, and identity data transmitted from the vending machine; the data being transmitted at "predetermined intervals", and the transmission utilizing monodirectional RF transmission only.

Sedam et al. '292 teach a sales and cash monitoring system for identified vending machines (See, for example, Col. 2, lines 44-58), whereby data is received at predetermined intervals (Col. 2, line 47-48), to provide for a more efficient scheduling of routes (See Col. 1, lines 61-62), and utilizing radio communications for transmitting/receiving data (See Col. 3, lines 40-43).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Beard et al. to have the data be sales, cash, and identity data transmitted from the vending machine and the data transmitted at "predetermined intervals", in view of Sedam et al., in order to "improve the efficiency of the use of manpower and equipment in vending supply operations" (See Sedam et al., Col. 1, lines 55-56).

Schwartzendruber teaches that it is well known to: have monodirectional data transmission between a vending machine and service station (See for example Col. 5, lines 1-28); the data transmission being RF transmission (See Col. 7, lines 55-63).

It would have been further obvious to one of ordinary skill in the art at the time of the invention to modify Beard et al. to have monodirectional RF data transmission between the vending machine and the service center, in order for the vending machine to **initiate notification** to service personnel of depleted inventory prior to complete inventory depletion (See Schwartzendruber Col. 5, lines 12-22).

*Re claim 19, step (b): Beard et al. teaches collecting data, **processing data**, and updating data (See, for example, claim 2) which meets applicant's limitation of "abbreviated" data as "**processing data**" often entails eliminating unnecessary information.*

*Re claims 22, step (b): Beard et al. teaches collecting data, **processing data**, and updating data (See, for example, claim 2) which meets applicant's limitation of "filtered" data as "**processing data**" often entails eliminating unnecessary information.*

### **Response to Arguments**

Applicant's arguments filed 4/5/2005 have been fully considered but they are not persuasive. The applicant has not at all addressed the teaching in Schwartzendruber of using "**radio communication**" (Col. 7, lines 55-60) as an alternative to the use of a modem and telephone lines for transmitting inventory data from the vending machine to the control center, as described in Col. 5, lines 1-28. This alternative embodiment

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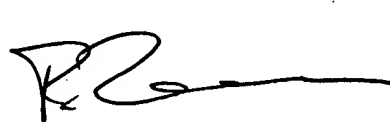
taught by Schwartzendruber, in combination with Beard et al. and Sedam et al., do anticipate the limitations of the claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (571) 272-6790. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached at (571) 272-6788. The receptionist's phone number for the Technology center is (571) 272-3600. The fax number is (703) 872-9306 for all communications.

F. Zeender  
Patent Examiner, A.U. 3627  
June 7, 2005



6/7/05

**F. RYAN ZEENDER  
PRIMARY EXAMINER**